

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUL 13 2000

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUL 19 2000

The applicant Nevada Land and Resource Co, LLC, hereby makes application for permission to change the **manner of use and place of use** of water heretofore appropriated under Permit No. 46908

1. The source of water is **underground**
2. The amount of water to be changed **4.0 second feet**
3. The water to be used for **industrial power generation**
4. The water heretofore permitted for **mining, milling and domestic**
5. The water is to be diverted at the following point SW¼ SW¼, Section 19, T.21N., R.24E., M.D.B. & M. or at a point from which the southwest corner Section 25, T.21N., R.23E., M.D.B. & M. bears S. 44°35'55" W. a distance of 8075 feet.
6. The existing permitted point of diversion is located within
7. Proposed place of use **The Northwest quarter, Northeast quarter and the Southeast quarter of Section 25, Township 21N, Range 23 East, M.D.B. & M.**
8. Existing place of use **Sections 20, 21, 22, 23, 25, 26, 27, 28, 29, 32, 33, 34, 35, T.21N., R.23E., M.D.B. & M., and Sections 19 and 31, T.21N., R.24E., M.D.B. & M.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **well, pumping facilities and pipeline to the power plant site.**
12. Estimated cost of works **\$500,000**
13. Estimated time required to construct works **Three years**
14. Estimated time required to complete the application of water to beneficial use **Five years**
15. Remarks: **Total annual consumptive use of Permits No. 46908, 57310, and 52763 is 943.6 million gallons per year**

By **Charles Welch**
s/Charles Welch
3264 Goni Rd Suite 153
Carson City Nv 89706

Compared kdg/cm^f ds/cm^f

Protested 10/13/00 Pyramid Lake Paiute Tribe of Indians; 10/13/00 Washoe County;
10/16/00 George W. Ball; Pro. Overruled 9/27/2001 See Ruling #5079

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place and manner of use of the waters of an underground source as heretofore granted under Permit 46908, is issued subject to the terms and conditions imposed in said Permit 46908, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 66555, 66556 and 66557 shall not exceed 1428 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Issuance of Permits 66555, 66556 and 66557 totally abrogates Permits 46908, 57310 and 52763.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.0 cubic feet per second, but not to exceed 1428 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Water must be placed to beneficial use on or before:

January 18, 2003

Proof of the application of water to beneficial use shall be filed on or before:

February 18, 2003

Map in support of proof of beneficial use shall be filed on or before:

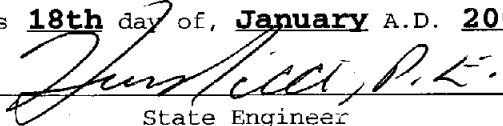
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 18th day of, January A.D. 2002


State Engineer

Completion of work filed under 46908 on September 13, 1996

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

CANCELLED BY RULING MAR. 16, 2006
#5598

Cancellation Affirmed 4-10-06 See Ruling #5609